

PTO/SB/24A (09-04)

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**PETITION FOR EXPRESS  
ABANDONMENT TO AVOID  
PUBLICATION UNDER 37 CFR 1.138(c)**

Fax the petition directly to the  
Pre-Grant Publication Division at (703) 305-6568  
Or Mail the petition to:  
MS Express Abandonment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/828606-Conf. #5203
Filing Date	April 21, 2004
First Named Inventor	Sekar Govindasamy
Art Unit	2161
Examiner Name	S. Metjahić
Attorney Docket No.	92717-00362USPT

**Petition for Express Abandonment to Avoid Publication under 37 CFR 1.138(c)**

I hereby petition to expressly abandon the above-identified application to avoid publication.

**Petition Fee** – must be filed with petition to avoid delays in recognizing the petition.

a.  The Director is hereby authorized to charge the petition fee under 37 CFR 1.17(h) to

Deposit Account No. 10-0447

I have enclosed a duplicate copy of this sheet.

OK FOR ABANDONMENT

AUG 26 2005

b.  Check in the amount of \$ \_\_\_\_\_ is enclosed.

c.  Payment by credit card (Form PTO-2038 is enclosed).

PG PUB DIVISION  
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**NOTE:** A paper requesting express abandonment of an application is not effective unless and until an appropriate USPTO official recognizes and acts on the paper. See the Manual of Patent Examining Procedure (MPEP), section 711.01. In addition, the paper will not stop publication of the application unless a petition under 37 CFR 1.138(c) is recognized and acted on by the Pre-Grant Publication Division in sufficient time to avoid publication (e.g., more than four (4) weeks prior to the projected publication date).

I am the:  applicant.

assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

attorney or agent of record. Registration Number 47,031



August 25, 2005

Date

Ross T. Robinson

(214) 965-7300

Typed or printed name

Telephone Number

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

RECEIVED

USPTO-PG PUBS

Total of 1 forms are submitted.

AUG 25 2005

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 305-6568, on the date shown below.

Dated: August 25, 2005

Signature: Carol Martin (Carol Martin)

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FEE**  
**Under 37 CFR 1.17(f), (g) & (h)**  
**TRANSMITTAL**  
(Fees are subject to annual revision)

Send completed form to:  
MS Express Abandonment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/828606-Conf. #5203
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First Named Inventor	Sekar Govindasamy
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Examiner Name	S. Metjahi
Attorney Docket Number	92717-00362USPT

Enclosed is a petition filed under 37 CFR 1.138(c) that requires a processing fee (37 CFR 1.17(f)), (g), or (h)). Payment of \$ 130.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(l), see form PTO/SB/17.

**Payment of Fees** (small entity amounts are NOT available for the petition fees).

The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 10-0447 :  
 Petition fee under 37 CFR 1.17(f), (g) or (h)  Any deficiency of fees and credit of any overpayments  
Enclose a duplicative copy of this form for fee processing.

Check in the amount of \$ \_\_\_\_\_ is enclosed.

Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462**

For petitions filed under:  
§ 1.53(e) – to accord a filing date.  
§ 1.57(a) – to accord a filing date.  
§ 1.162 – for decision on a question not specifically provided for.  
§ 1.183 – to suspend the rules.  
§ 1.378(e) – for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.  
§ 1.741(b) – to accord a filing date to an application under § 1.740 for extension of a patent term.

**Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463**

For petitions filed under:  
§ 1.12 – for access to an assignment record.  
§ 1.14 – for access to an application.  
§ 1.47 – for filing by other than all the inventors or a person not the inventor.  
§ 1.59 – for expungement of information.  
§ 1.103(a) – to suspend action in an application.  
§ 1.136(b) – for review of a request for extension of time when the provisions of section 1.136(a) are not available.  
§ 1.295 – for review of refusal to publish a statutory invention registration.  
§ 1.296 – to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.  
§ 1.377 – for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.  
§ 1.550(c) – for patent owner requests for extension of time in *ex parte* reexamination proceedings.  
§ 1.956 – for patent owner requests for extension of time in *inter partes* reexamination proceedings.  
§ 5.12 – for expedited handling of a foreign filing license.  
§ 5.15 – for changing the scope of a license.  
§ 5.25 – for retroactive license.

**Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464**

For petitions filed under:  
§ 1.19(g) – to request documents in a form other than that provided in this part.  
§ 1.04 – for accepting color drawings or photographs.  
§ 1.91 – for entry of a model or exhibit.  
§ 1.102(d) – to make an application special.  
§ 1.138(c) – to expressly abandon an application to avoid publication.  
§ 1.313 – to withdraw an application from issue.  
§ 1.314 – to defer issuance of a patent.



August 25, 2005

Date

Ross T. Robinson

47,031

Typed or printed name

Registration No., if applicable

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 305-8588, on the date shown below.

Dated: August 25, 2005

Signature:  (Carol Martin)

# FAX TRANSMISSION

DATE: August 25, 2005

PTO IDENTIFIER: Application Number 10/828606-Conf. #5203  
Patent Number

Inventor: Sekar Govindasamy

MESSAGE TO: Pre-Grant Publication Division

FAX NUMBER: (703) 305-8568

FROM: JENKENS & GILCHRIST, A PROFESSIONAL CORPORATION

Ross T. Robinson

PHONE: (214) 965-7300

Attorney Dkt. #: 92717-00362USPT

PAGES (Including Cover Sheet): 4

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Express Abandonment Under 37 CFR 1.138(c) (1 page)  
Charge \$130.00 to deposit account 10-0447  
Certificate of Transmission (1 page)

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JENKENS & GILCHRIST, A PROFESSIONAL CORPORATION  
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